

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 65th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON ENERGY, TECHNOLOGY, AND FEDERAL RELATIONS**

**Call to Order:** Chair Daniel Zolnikov, on March 10, 2017 at 3:00 PM, in Room 472  
Capitol

#### **ROLL CALL**

##### **Members Present:**

Rep. Daniel Zolnikov, Chair (R)  
Rep. Denise Hayman, Vice Chair (D)  
Rep. Derek Skees, Vice Chair (R)  
Rep. Laurie Bishop (D)  
Rep. Geraldine Custer (R)  
Rep. Nate McConnell (D)  
Rep. Shane A. Morigeau (D)  
Rep. James O'Hara (R)  
Rep. Andrea Olsen (D)  
Rep. Zac Perry (D)  
Rep. Alan Redfield (R)  
Rep. Adam Rosendale (R)

##### **Members Excused:**

Rep. Adam Hertz (R)  
Rep. Sharon Stewart-Peregoy (D)  
Rep. Austin Knudsen (R)  
Rep. Casey Knudsen (R)

**Members Absent:** None

**Staff Present:** Sydney Kessel, Committee Secretary  
Sonja Nowakowski, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing & Date Posted: SB 102, 2/27/2017; SJ 5, 2/27/2017; SJ 6, 2/27/2017  
Executive Action: HB 216, HB 365 & HR 2

00:02:03 Recess  
00:20:10 Reconvene with Rep. Stewart-Peregoy present

**EXECUTIVE ACTION ON HB 216**

00:20:38 **Motion:** Rep. Skees moved that **HB 216 DO PASS.**

**Discussion:**

00:21:22 Sonja Nowakowski, Legislative Service Division (LSD)  
00:23:12 Chair Zolnikov

00:24:15 **Motion:** Rep. Skees moved that **HB 216 BE AMENDED.**  
**EXHIBIT**(feh50a01)

**Discussion:**

00:24:28 Rep. McConnell  
00:25:08 Chair Zolnikov  
00:25:52 Rep. McConnell

00:26:07 **Vote:** Motion carried unanimously by voice vote. Rep. A. Hertz, Rep. A. Knudsen and Rep. C. Knudsen voted by proxy.

00:26:42 **Motion:** Rep. Skees moved that **HB 216 DO PASS AS AMENDED.**

**Discussion:**

00:26:52 Vice Chair Hayman

00:27:35 **Vote:** Motion carried 15-1 by voice vote with Rep. Olsen voting no. Rep. A. Hertz, Rep. A. Knudsen, Rep. C. Knudsen and Rep. Redfield voted by proxy.

00:28:23 Chair Zolnikov

**HEARING ON SJ 6**

**Opening Statement by Sponsor:**

00:29:08 Sen. Duane Ankney (R), SD 20, opened the hearing on SJ 6, Resolution urging Regulation Freedom amendment to US constitution.

**Proponents' Testimony:**

00:32:37 Tammy Johnson, Montana Mining Association (MMA)  
00:35:42 Peggy Trenk, Treasure State Resource Association (TSRA)  
00:37:11 Jessica Sena, Montana Petroleum Association (MPA)  
00:40:20 Nicole Rolf, Montana Farm Bureau Federation (MFBF)

**Opponents' Testimony:**

00:41:43 Neal Ullman, Montana Conservation Voters (MCV)  
00:45:30 Claudette Morton, Montana Woman League of Voters  
00:47:14 Becky Convery, Self

**EXHIBIT**(feh50a02)

00:57:33 Robert Filipovich, Self  
[EXHIBIT\(feh50a03\)](#)

00:58:36 Nadine Nadow, Montana Environmental Information Center (MEIC)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:59:28 Rep. McConnell  
00:59:59 Sen. Ankney  
01:00:07 Rep. McConnell  
01:01:25 Sen. Ankney  
01:01:58 Rep. McConnell

**Closing by Sponsor:**

01:02:25 Sen. Ankney  
  
01:02:35 Rep. Olsen leaves meeting

**EXECUTIVE ACTION ON HB 365**

01:04:21 **Motion:** Rep. Skees moved that **HB 365 DO PASS.**

**Discussion:**

01:04:34 Sonja Nowakowski, LSD

01:04:49 **Motion:** Rep. Skees moved that **HB 365 BE AMENDED.**  
[EXHIBIT\(feh50a04\)](#)

**Discussion:**

01:05:04 Vice Chair Skees  
01:08:13 Vice Chair Hayman  
01:08:54 Doug Hardy, Montana Electric Cooperatives Association (MCEA)  
  
01:09:45 **Vote:** Motion carried unanimously by voice vote. Rep. A. Hertz, Rep. A. Knudsen, Rep. C. Knudsen, Rep. Redfield and Rep. Olsen voted by proxy.  
  
01:10:29 **Motion:** Rep. Skees moved that **HB 365 DO PASS AS AMENDED.**  
  
01:11:11 **Motion:** Rep. Hayman moved that **HB 365 BE AMENDED.**  
[EXHIBIT\(feh50a05\)](#)

**Discussion:**

01:11:24 Sonja Nowakowski, LSD  
01:11:49 Chair Zolnikov  
  
01:11:59 **Vote:** Motion carried 10-6 by voice vote with Rep. A. Hertz, Rep. A. Knudsen, Rep. C. Knudsen, Rep. Redfield, Rep. Rosendale and Rep. Skees voting no.

Rep. A. Hertz, Rep. A. Knudsen, Rep. C. Knudsen, Rep. Olsen and Rep. Redfield voted by proxy.

01:13:31 **Motion/Vote:** Rep. Skees moved that **HB 365 DO PASS AS AMENDED**. Motion carried unanimously by roll call vote. Rep. A. Hertz, Rep. A. Knudsen, Rep. C. Knudsen, Rep. Olsen and Rep. Redfield voted by proxy.

### **HEARING ON SJ 5**

#### **Opening Statement by Sponsor:**

01:15:05 Sen. Mike Phillips (D), SD 31, opened the hearing on SJ 5, Interim study regarding coal phase-out.

#### **Proponents' Testimony:**

01:20:11 Anne Hedges, Montana Environmental Information Center (MEIC)  
[EXHIBIT\(feh50a06\)](#)

#### **Opponents' Testimony:**

01:25:11 Chris Cavazos, AFL-CIO  
01:26:28 Bud Clinch, Montana Coal Council (MCC)  
[EXHIBIT\(feh50a07\)](#)  
[EXHIBIT\(feh50a08\)](#)  
[EXHIBIT\(feh50a09\)](#)  
[EXHIBIT\(feh50a10\)](#)

01:32:14 Todd O'Hair, Cloud Peak Energy (CPE)  
01:35:56 Peggy Trenk, Treasure State Resources Association (TSRA)

**Informational Testimony:** None

#### **Questions from Committee Members and Responses:**

01:37:36 Rep. Rosendale  
01:37:57 Anne Hedges, MEIC  
01:38:35 Rep. O'Hara  
01:39:00 Todd O'Hair, CPE  
01:39:59 Chair Zolnikov  
01:40:24 Rep. Morigeau  
01:41:36 Sen. Phillips  
01:43:11 Chair Zolnikov  
01:43:25 Sen. Phillips  
01:44:29 Rep. Bishop  
01:45:22 Todd O'Hair, CPE  
01:47:19 Vice Chair Skees  
01:48:38 Sen. Phillips  
01:49:30 Vice Chair Hayman  
01:50:09 Sen. Phillips  
01:51:17 Rep. Stewart-Peregoy  
01:52:07 Sen. Phillips  
01:52:38 Rep. Stewart-Peregoy

01:54:12 Rep. Morigeau  
01:54:54 Todd O'Hair, CPE  
01:55:42 Rep. Morigeau  
01:56:42 Todd O'Hair, CPE  
01:57:23 Rep. Rosendale  
01:57:42 Sen. Phillips  
01:58:07 Rep. Rosendale  
01:58:10 Sen. Phillips  
01:58:19 Rep. Rosendale  
01:58:25 Sen. Phillips

**Closing by Sponsor:**

01:59:13 Sen. Phillips

02:04:36 Chair Zolnikov

**EXECUTIVE ACTION ON HR 2**

02:04:45 **Motion:** Rep. Skees moved that **HR 2 DO PASS.**

**Discussion:**

02:05:21 Vice Chair Hayman

02:06:49 **Vote:** Motion carried 12-4 by roll call vote with Rep. Custer, Rep. O'Hara, Rep. Perry and Rep. Redfield voting no. Rep. A. Hertz, Rep. A. Knudsen, Rep. C. Knudsen and Rep. Redfield voted by proxy.

02:08:09 Chair Zolnikov relinquishes Chair to Rep. Rosendale

**HEARING ON SB 102**

**Opening Statement by Sponsor:**

02:09:15 Sen. Tom Richmond (R), SD 28, opened the hearing on SB 102, Establish a maximum length for qualifying facility contracts.

**Proponents' Testimony:**

02:14:04 John Alke, North Western Energy (NWE)

[\*\*EXHIBIT\*\*](#)(feh50a11)

02:25:36 Aimee Grmoljez, MDU Resources Group. Inc.

**Opponents' Testimony:**

02:27:40 Michael Uda, Montana Sun

02:38:28 Glenn Oppel, Transalta Corporation

[\*\*EXHIBIT\*\*](#)(feh50a12)

02:39:20 Marty Wilde, Wind Data LLC

[\*\*EXHIBIT\*\*](#)(feh50a13)

02:46:10 Danna Jackson, Montana Department of Natural Resources (DNRC)

02:50:15 Hewitt Strange, Self

[EXHIBIT](#)(feh50a14)

02:53:24 Tucker Finley, Montana Public Research Group

02:54:22 Brian Fa+die, Montana Environmental Information Society (MEIC)

[EXHIBIT](#)(feh50a15)

02:56:05 Adam Haight, Northern Plains Resource Council (NPRC)

**Informational Testimony:**

02:56:33 Will Rosquist, Public Service Commission (PSC)

**Questions from Committee Members and Responses:**

02:57:04 Vice Chair Hayman

02:57:57 Dana Jackson, DNRC

02:58:50 Rep. McConnell

02:59:41 Hewitt Strange, Self

**Closing by Sponsor:**

03:01:03 Sen. Phillips

03:04:36 Chair Zolnikov resumes Chair

03:05:01 Vice Chair Hayman

**ADJOURNMENT**

Adjournment: 03:05:20

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Sydney Kessel, Secretary

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Additional Documents:

**EXHIBIT**([feh50aad.pdf](#))